

WATERTOWN PLANNING BOARD

DATE: June 8, 2011 PLACE: Town Council Chamber TIME: 7:00 PM COMMENCED: 7:00 PM

PURPOSE OF MEETING: Regular Monthly Meeting

PRESENT: John Hawes, Chairman; Jeff Brown; Fergal Brennock; Linda Tuttle-Barletta
Staff: Steve Magoon, Director; Ingrid Marchesano, PB Clerk, Gideon Schreiber, Senior Planner

Chairman John Hawes called the meeting to order at 7:00 PM.

ADMINISTRATION BUSINESS

Jeff Brown motioned to approve Minutes of 5/112011.

Fergal Brennock seconded the motion.

Voted 4-0 In favor

CASE PENDING

- **151 Worcester Street;** Kenneth & Kati Swift – Special Permit Finding

Kenneth Swift, we are requesting a Special Permit Finding to construct a 16.5'x32' 2-story rear addition, totaling 1,056 s.f, which will provide a family room and enlarge kitchen on the first floor. The second floor addition will be the master bedroom and a full bathroom. We are proposing to extend the front area of the house to expand our son's bedroom. The existing garage will be demolished and small shed added.

Steve Magoon, the 5,275 s.f. lot contains a 2-story single family structure. Two Special Permit Findings to alter a nonconforming structure are requested, the addition will add 1,056 s.f. of living space. The front yard setback will be maintained. The criteria set forth in the Zoning Ordinance have been met. The proposed addition is not substantially more detrimental than the existing nonconforming use. Staff recommends an approval of the two requests with conditions.

Linda Tuttle-Barletta motioned to approve the petition for Special Permit Findings under Section 4.06(a) based upon the finding that it meets the criteria set out in the Zoning Ordinance subject to conditions set forth in the staff report.

Jeff Brown seconded the motion.

Voted: 4-0 In favor

- **32 Arsenal Street** a/k/a 71 North Beacon Street; United Cerebral Palsy, Richard Merson President – Amendment to Special Permit/Special Permit Finding #09-16 ASP/SPF

Ken Leitner, Atty, this is a request to amend previously granted SP. UCP is proposing to remove the asphalt area on Arsenal Street and North Beacon property side, and add planters along North Beacon Street and enclose the dumpster.

Steve Magoon, the desire to remove asphalt is consistent with the original decision. Pavers were part of the original approval. The 5 parking spaces do not fit on this space, staff is not in favor of this proposal. Staff recommends to approve the revised proposal that would allow 4 parking spaces on site as outlined in the conditions.

Angie Kounelis, District A Councilor, 55 Keenan Street, the immediate abutters had an issue with snow. The snow barrier broke and the snow went onto their property.

Steve Magoon, last winter had substantial snow fall, the roof guards gave away and snow fell onto the adjoining property. A new guard has been installed.

Linda Tuttle-Barletta motioned to approve the petition for Amendment to Special Permit/Special Permit Finding # 09-16 ASP/SPF based upon the finding that it meets the criteria set out in the Zoning Ordinance subject to conditions set forth in the staff report.

Fergal Brennock seconded the motion.

Voted: 4-0 In favor

- **485 Arsenal Street (Arsenal Mall);** Chipotle Mexican Grill – Variance

Robyn Casey, Broadway National, we are withdrawing application for Sign A 28.66 s.f. sign and proposing a 12.5 s.f. sign to be placed above the new exterior entrance near the main entrance.

Steve Magoon, the proposed sign will be placed above a new exterior entrance adjacent to Marshall's. The proposed 2,409 s.f. commercial space will be located on the first floor. The 4 criteria for granting of a variance have been met. The restaurant is the only space in the Arsenal Mall that has a separate entrance. The small exterior sign will provide orientation. Staff is in support of the variance for sign A.1 with conditions.

Linda Tuttle-Barletta motioned to approve the petition for Variance under Section 7.07 based upon the finding that it meets the criteria set out in the Zoning Ordinance subject to conditions set forth in the staff report.

Jeff Brown seconded the motion.

Voted: 4-0 In favor

- **55 Bigelow Avenue;** Vatche Keusseyan – Special Permit Finding

Jacques Akelian, this is a request to replace an existing nonconforming use, retail/laundry business, with another nonconforming use, retail produce. The property is located in a T zone. The produce market is targeted to local customers. Only fresh produce will be available, such use will be beneficial to the neighborhood, it will not compete with any other businesses in the neighborhood. It will be open during the day, ample parking is provided on street. The name of the business will be Kay's Farm Fresh.

Gideon Schreiber, the concrete structure with a brick façade is located on a 4,965 s.f. The driveway is shared, the building consists of 2 commercial units, and the store will be 1,600 s.f., which has been used as a dry cleaning business since 1982. The property is in a T zone, there are many commercial establishments on Bigelow Avenue. The proposed business will be owner operated with 1 employee. The proposed hours of operation will be 9AM to 8PM, closed on holidays. Next door neighbor, Charles Fortunato, was unable to attend and provided a letter of support for the petitioner.

Flora Levine, 64 Bigelow Ave, Unit 23, Vice President of the Coolidge Village condo association, not everyone in the Coolidge Village is opposed. This will provide easier access to Kay's. The original Kay's Market on Mount Auburn Street generated lots of traffic, produce was stored on the sidewalk, etc. What are the hours of operation? The neighborhood is very congested, there are churches, bingo, etc.

Jacques Akelian, Monday to Friday 9-8, Saturday 10-6, and Sunday 10-4. The deliveries will be in the front, all produce will be kept indoors. A closed trash container will be placed in the rear and trash removed daily.

Angie Kounelis, District A Councilor, 55 Keenan Street, I have received numerous phone calls from concerned neighbors. Mr. Fortunato raised many concerns in his letter of support, but reached verbal agreement with the applicant. Where will the delivery truck park? Will there be wholesale business? The previous use was more passive.

Jacques Akelian, the truck will be parked at VFW on Beaver Street in Waltham. We are not promoting double parking, I cannot control that. Mount Auburn Street is much busier. Our business is closed at night when other businesses are open.

John Hawes, how much traffic is generated by B&G Sheet Metal? How does that compare with Kay's market on Mount Auburn Street? This new business might be a community asset. I am concerned with Sunday hours, when the 3 churches in the area are having services. We can do a review in 6 months, the petitioner needs to stay in contact with the neighbors.

Steve Magoon, the hours of operation are 8-8, 7am for deliveries only.

Linda Tuttle-Barletta motioned to approve the petition for Special Permit Finding under Section 4.06(e) based upon the finding that it meets the criteria set out in the Zoning Ordinance subject to conditions set forth in the staff report.

Fergal Brennock seconded the motion.

Voted: 4-0 In favor

- **320 Main Street;** John Paicopoulos – Special Permit/

Dimitri Paicopoulos, we asked for continuance at the last meeting. We are asking to allow 2 parking spaces to display 2 vehicles for sale.

Steve Magoon, the case has been continued to allow the petitioner to provide more information. The 15,644 s.f. gas station is located on the corner of Main and Myrtle street, with 2 curb cuts on Main and one on Myrtle. The petitioner is licensed to have 15 vehicles on site, 4 extra spaces were created without approval. An area that was supposed to be landscaped is used as another parking space. The staff recommends an approval with conditions as stated in the staff report.

Linda Tuttle-Barletta motioned to approve the petition for Special Permit under Section 5.02(l) based upon the finding that it meets the criteria set out in the Zoning Ordinance subject to conditions set forth in the staff report.

Fergal Brennock seconded the motion.

Voted: 4-0 In favor

- **550-580 Pleasant Street; A.Russo & Sons Inc.** – Amendment to Special Permit and Site Plan Review

Steve Magoon, this is a complicated case. It is a second case before the Planning Board as permit granting authority. The site has a lot permitting history, there have been issues with the abutters in the past. Russo's is a very important entity in the area, very successful business, in need of more parking. There are some aspects of the application that the staff is concerned about. We will continue to work with the applicant.

Daniel Bailey, Atty, this is a proposal to expand the warehouse, retail space and parking area. The basic goal is trying to deal with multiple uses on this property. The entity started as a small business in 1989. There have been 5 additional property acquisitions over the years. The business was mostly wholesale, with very little retail. As did the business grew, so did the need for parking. We now employ over 200 employees. It is the most successful business on Pleasant Street. It is difficult to comply with all the regulations.

We are proposing about 4,051 of new retail space on the first floor, 2,062 s.f. of office space on the second floor, and 15,566 s.f. of new warehouse space that includes refrigeration, loading dock and

basement storage. This will allow the removal of the existing refrigeration trailers and reduction of noise. Any overnight trailer parking will be in the rear. The parking areas will be improved and landscaped. We are trying to find a balance between requirements of the Zoning Ordinance and design of this site. We cannot provide buffered landscape as required by the ZO.

Fred Keylor, engineer, additional 138 parking spaces will be provided. The site will have 2 way access and one way circulation. Two lanes are leading to Paramount place, one in the opposite direction. A wide driveway is needed for the large trucks to enter/exit and access the loading docks. We are proposing zero setback in the rear, a wooden fence will provide buffer.

Niles Sutphin, Architect, the principal challenge is to produce aesthetically attractive building. The existing footprint is 40,000 s.f., the loading facilities and refrigeration area will be reorganized. A ramp to enter the basement storage area will be build. The greenhouse area and bakery will be expanded. A two story tower will house office on the second floor and retail on the ground floor.

Nelson Hammer, Landscape Architect, screening of the parking areas was a challenge. A visual interest will be provided and different species used. Shade trees will be placed along Pleasant Street. Interest will be created with mixture of plantings and scalloped area of loom around trees on Pleasant Street.

Gideon Schreiber, 560 Pleasant Street: request for Special Permit with Site Plan Review under Sections 5.01.3(f) Retail Store, 5.01.5(h) Wholesale business, 5.02(j) Outdoor display of merchandise, 5.02(f) Parking for business trucks, Variance under Sections 5.16(d) Maximum impervious surface, minimum open space, 6.02(k) parking setback from lot lines buildings and interior landscaping, 6.04© Maximum driveway width greater than 30'.

532 Pleasant Street: Variance under Sections 5.16(d)(8)(9) Maximum impervious surface, minimum open space, 6.02(b)(k) Minimum size of parking spaces, interior landscaping, 6.02(k) parking setback from lot lines/buildings and interior landscaping. The business has been at this location since 1988. The proposed lot coverage will be 24.7% where 50% is allowed. The proposed use will not adversely affect the neighborhood. Issues from the past have been removed. Additional parking will support the expansion, clear pedestrian routes provided, 2 lanes will be added to Paramount Way. Food storage within the building will be more efficient, compactors will be located near the rear. The new storm water management system will minimize the runoff.

The following is a staff recommendation summary:

The petitioner requests a *Special Permit with Site Plan Review* to be considered by the Planning Board: Based on the findings, the petition will meet the criteria set forth under §9.03(c), §9.05 (b), and meets with the general purpose of the Ordinance outlined in §1.00 of the WZO. Staff recommends that the Special Permit with Site Plan Review be granted conditional approval by the Planning Board for 532 and 560 Pleasant Street, located in the PSCD (Pleasant Street Corridor District) Zone in accordance with §5.01.3 - (f) Retail store; § 5.01.5 (h) Wholesale Business; 5.02 (j) Outdoor Display of Merchandise; 5.02 (f) Parking for business trucks, permitting:

- Expansion of existing structure for additional warehouse space and retail areas on the first floor, second floor, and basement
- 14,215 s.f. expansion of Russo's building footprint;
- 5,370 s.f. conversion of existing outdoor merchandise display area into a pervious area and expansion of total area dedicate to the outdoor display of merchandise by 4,675 s.f (all to be pervious);
- 5,545 s.f. construction of a new covered loading dock at the rear to connect with reconfigured east loading dock, all to accommodate five tractor trailer-trucks in the rear, four tractor trailer-trucks on the east, and ten medium truck loading/parking on the east;

- Parking for occupant's business trucks and trailer parking; and,
- Reconfiguration of customer parking to south and east of building, and at 532 Pleasant Street, with the attached conditions:

The petitioner also requests *Variances* to be considered by the Zoning Board of Appeals:
Based on the findings, staff recommends:

- A. Variance in accordance with §5.16(d) 8 & 9 Maximum Impervious Surface and Minimum Open Space
 1. Denial for 532 Pleasant Street - Allow impervious coverage greater than the maximum of 80% allowed in the PSCD zone and to provide less than minimum required 20% Open Space (Impervious coverage of 84.9% was proposed);
 2. Conditional Approval for 560 Pleasant Street - Allow impervious coverage greater than the maximum of 80% allowed in the PSCD zone and to provide less than minimum required 20% Open Space (Impervious coverage of 87.6 % was proposed).
- B. Variance from § 6.02(b) Minimum Size of Parking Spaces
 1. Conditional Approval for 532 Pleasant St - 138 spaces (# may change with redesign) at 8'x18', where 8.5'x18' is required.
- C. Variances from § 6.02(k) Parking Area Setbacks & Landscaping:
 1. Denial for 532 Pleasant Street - 0% interior landscaping, where 5% is required;
 2. Denial for 532 Pleasant St. - Setback of 4' from western lot line where 8' is required, and setback of 0.5' from southern lot line where 8' is required;
 3. Conditional Approval for 532 Pleasant St. - varying setback of 6.1'-10.4' from eastern lot line where 8' is required;
 4. Conditional Approval for 560 Pleasant Street - 0% interior landscaping, where 5% is required;
 5. Conditional Approval for 560 Pleasant Street – setback of 3' from the northwestern side of the structure where 8' is required;
 6. Denial for 560 Pleasant St - setback of 0' from rear lot line where 8' is required;
 7. Denial for 560 Pleasant St. - setback of 0' from eastern side lot line where 0' currently exists and where 8' is required.
- D. Variance from §6.04(c) Design and Layout of Off-Street Loading Facilities, Maximum Driveway Width,
 1. Denial for 68 ft driveway where a maximum of 30 ft is allowed.

Jeff Brown, the entry to the new parking area is now very confusing and will be corrected with the new proposal. Is there any pedestrian protection?

Fergal Brennock, it is extremely challenging to shop in Russo's. The truck analysis is only provided by entering from the east, not west. Signs for cars to stop for pedestrians need to be added. Barriers showing customers not to go to the left.

John Hawes, I am very concerned with the flow design. Can the petitioner provide more interior landscaping?

Linda Tuttle-Barletta, the petitioner is requesting many variances. It is interesting for the petitioner to try to use Town property as a landscape buffer.

Steve Magoon, the interior landscaping in the parking lot is an issue. We would prefer interior landscaping even if it means losing few parking spaces.

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Gideon Schreiber, the unregistered trailer will be removed from the property.

John Hawes, we should continue the petition to allow the petitioner to address the issues discussed tonight. Conditions in the staff report should be separated to show clearly Special Permit and Variance conditions.

Linda Tuttle-Barletta motioned to continue the petition to the July 13, 2011 meeting of the Planning Board

Jeff Brown seconded the motion.

Voted: 4-0 In favor

John Hawes adjourned the meeting at 9:55 PM.

MEETING ADJOURNED: 9:55 PM MINUTES APPROVED: _____
For more detailed Minutes see tapes dated 6/8/2011 available in the DCD&P office.